

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of: Richard A. Joseph et al.

Application No.: 10/563,347

Confirmation No.: 8834

Filed: January 3, 2006

Art Unit: 1634

For: ASSAY AND PROCESS FOR LABELING  
AND DETECTION OF MICRO RNA AND  
SMALL INTERFERING RNA SEQUENCES

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Examiner: J. Martinell

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Non-Compliant Amendment mailed October 20, 2008, states that:

“According to Preliminary Amendment dated 1-3-06, Claim 16 was strike through Amendment 10/14/08 brings Claim 16 back with no indications of underscoring and also the status identifier is incorrect.”

Claim 16 has never been amended, which is why the status identifier in the October 14, 2008 Amendment indicates “Original” for this claim. Applicant’s representative discussed this matter with Examiner Martinell today via telephone, and he confirmed that claim 16 has not been modified.

Applicant respectfully requests reconsideration of the October 14, 2008 Amendment which is submitted to be fully compliant with the requirements of 37 CFR 1.121 and 37 CFR 1.4.

Questions regarding this application may be directed to the undersigned attorney at the telephone number provided.

Dated: October 31, 2008

Respectfully submitted,

By 

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